

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

APR 12 2001

JAMES W. McCORMACK, CLERK
By _____ DEP CLERK

ELLIS FOSTER, Individually, and on behalf of)
the ESTATE OF EDDIE BAGBY, JR.,)

Plaintiff,)

v.)

No. 4:99CV733 JWC

LARRY NORRIS, individually, and in his official)
capacity as Director of the Arkansas Department)
of Corrections as warden of the Wrightsville Unit,)

TOMMY ROCHELLE, individually, and in his)
official capacity as administrator at the boot camp,)

SGT. RICHARD WINTERS, individually, and in)
his capacity as drill instructor for the Wrightsville)

Unit, and SGT. JOHN BROADWAY, individually,)
and in his official capacity, Arkansas Department)

of Corrections,)

Defendants.)

**DESIGNATION OF MATERIALS RELIED UPON IN
RESPONSE TO DEFENDANT JOHN BROADWAY'S
MOTION FOR PARTIAL SUMMARY JUDGMENT**

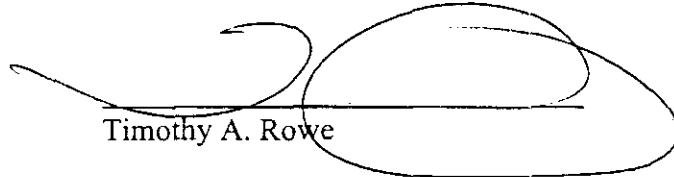
Comes now the Plaintiff, by counsel, and designates the following records relied upon:

1. All records set forth in Plaintiff's Designation in Response to other Defendants' Motion for Summary Judgment including all depositions, exhibits, and pleadings and all matters listed on said Designation
2. Affidavit of Dr. Zimmerly
3. Affidavit of Dr. Stopford

WHEREFORE, Plaintiff prays the Court to deny Defendant John Broadway's Motion for Partial Summary Judgment and for all other just and proper relief in the premises.

Respectfully submitted,

ROWE & HAMILTON



Timothy A. Rowe

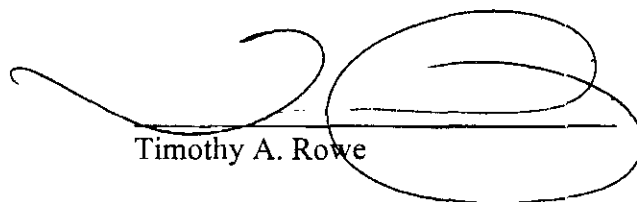
CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been served by first class United States mail, postage prepaid, this 11th day of April, 2001, to the following:

Michelle Banks Odum
Arkansas Attorney General's Office
Catlett-Prien Tower Bldg.
323 Center Street, Suite 200
Little Rock, AR 72201-2610

Ralph Cloar, Jr.
Attorney at Law
1501 N. University, Suite 640
Little Rock, Arkansas 72207-5235

Pamela D. Brogdon
1014 West Third Street
Little Rock, AR 72201



Timothy A. Rowe

ROWE & HAMILTON
600 Victoria Centre
22 East Washington Street
Indianapolis, IN 46204
(317) 632-2524
Attorney No. 6554-49